

Public Hall, Lodi, California. Feb. 14, 1910.

The Board of Trustees of the City of Lodi convened in adjourned regular session pursuant to adjournment of Feb. 10, 1910, President G.E. Lawrence presiding and the following other members of the Board being present: J.M. Blodgett, F.O. Male, C.A. Rich and L. Villinger.

The Minutes of the Previous Meeting were read and approved.

J.M. Blakesley was granted permission to repair a porch on East Locust Street.

Dr. A.M. Tower asked permission to cut down an elm tree from in front of his property on School Street near the corner of Elm St. Upon motion regularly made, seconded and carried the permission was granted.

W.L. McDaniel called the attention of the Board to the crossing of Grand and Central Avenues over Lodi Avenue and suggested that Mr. Walter, who owns lot 12 of block 2, would give a part of that lot so that a crossing could be made more nearly at right angles. The matter was referred to the Street Committee and the Street Superintendent.

Consideration of Ordinance No. 42, which was introduced on Jan. 24th., was taken up and the following substitute ordinance was read:

ORDINANCE NO. 42.

An Ordinance Prohibiting the Proprietor or Person in Charge of Any Place Where Billiards or Pool Is Played for a Charge to Permit Any Person under the Age of Eighteen Years to Play Billiards or Pool Therein or to Enter Any Inclosure Where Billiards or Pool Is Played or to Bet on the Result of Any Such Game of Billiards or Pool, and Prohibiting Any Person under the Age of Eighteen Years from Playing Billiards or Pool at Such Place or from Betting on the Result of Any Such Game of Billiards or Pool; and Imposing Penalties.

It was moved by Trustee C.A. Rich and seconded by Trustee J.M. Blodgett that the foregoing Ordinance No. 42 be introduced as a substitute for the proposed ordinance of the same number, which was introduced on Jan. 24th., and that further proceedings in regard to the old ordinance be dropped. The motion was carried.

It was moved by Trustee Blodgett and seconded by Trustee Rich that the substitute ordinance No. 42 be laid on the table for not less than five days exclusive of the day of introduction. The motion was carried and it was so ordered.

In the matter of the purchase of the Water and Light Plant of Cary Brothers:

Arthur L. Levinsky, attorney for Cary Brothers, offered a deed duly executed by Fred G. Cary, Blanche Daisy Cary (his wife), Edward C. Cary, Anna Cary (his wife), and Maria Sanborn conveying to the City of Lodi the Cary Brothers Water and Light Plant (so far as the same is situated within the corporate limits of the City of Lodi); also an authorization for the payment of the purchase price of \$35000.00 to Cary Brothers, and a certified check for \$5000.00 as a cash bond to guarantee the performance on the part of Cary Brothers of certain stipulations.

The deed, authorization and bond were then read to the Board by E. I. Jones Esq., attorney for the City.

J. M. McMahon was then duly sworn by the President of the Board and, in response to questions propounded by Judge Jones, testified as follows:

That he was familiar with the City of Lodi and that neither in said City or elsewhere is there other than said Cary Brothers' Plant, any existing water and light plant or water plant or light plant for supplying the said City or its inhabitants with water or light or available for the purposes or any purpose for which Municipal Improvement No. 2 of said City was provided.

The following Resolution was then read by Judge Jones:

RESOLUTION.

Whereas, in pursuance and in consequence of negotiations conducted heretofore by members of the Board of Trustees of the City of Lodi acting as a committee of the whole, Fred G. Cary, Blanche Daisy Cary (his wife), Edward C. Cary, Anna Cary (his wife), and Maria Sanborn, now in open regular meeting of said Board of Trustees, offer to deliver forthwith a deed of grant, bargain, conveyance and transfer of certain land and other property in said deed described, the same being summarily the entire plant for the production, transmission and distribution of water and artificial light, situated in the City of Lodi, and commonly known as the Cary Brothers' Water and Light Works (so far as and to the extent as such of said plant is situated within the corporate limits of said City of Lodi) together with a certain undertaking and check for securing the City under certain stipulations and agreements contained in said deed, for and in consideration of thirty-five thousand dollars and said stipulations and agreements, and

Whereas, the said Board of Trustees, after long and thorough investigation and consideration, now finds that the acquisition of said Water and Light Plant of said Cary Brothers and the further construction and completion of the same by expenditure of funds now in Municipal Improvement Fund No. 2 of said City will result in the acquisition, construction and completion of a combined plant for supplying said City and its inhabitants with water and electric light, and

Whereas, the said Board of Trustees now finds, after long and thorough investigation and consideration, that it will be for the best interests of the City of Lodi and its inhabitants and in furtherance of the purposes of said Municipal Improvement Fund No. 2 to acquire the land, property, plant and goods in said deed described, and to enter into the stipulations and agreements in said deed set forth, and pay for the same the sum of thirty-five thousand dollars, and

Whereas, from evidence taken before it, the said Board of Trustees now finds, as a fact, that neither in said City nor elsewhere is there other than said Cary Bros. plant any existing water and light plant or water plant or light plant for supplying the said City or its inhabitants with water or light or available for the purposes or any purpose for which Municipal Improvement No 2 of said City was provided, -therefore, be it

RESOLVED by the Board of Trustees of the City of Lodi, at this a regular meeting of said Board, held on the Fourteenth day of February, 1910, that delivery of said deed and security be accepted by the City of Lodi, and that G.E. Lawrence as President of said Board of Trustees be and hereby he is authorized and directed to accept such deed and security for, on behalf of and as the act of said City, and that upon his acceptance of the same, he said President of said Board and the City Clerk of said City be and they hereby are authorized and directed to draw, in the usual form and manner, a warrant upon the Treasury of said City, to wit, upon the City Treasurer of said City, in favor of the grantors mentioned in said deed (or the person or persons by them designated) for the sum of thirty-five thousand dollars, payable out of Municipal Improvement No 2 of said City.

- It was regularly moved and seconded that the foregoing Resolution be adopted as read, which motion was carried by the following vote:

Ayes: J.M.Blodgett, F.O.Male, G.E.Lawrence, C.A.Rich and L.Villinger.

Noes: None.

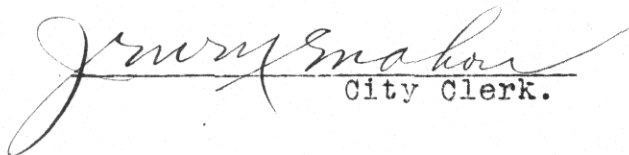
Absent: None.

Whereupon the foregoing resolution was approved and signed by the President of the Board and attested by the City Clerk.

A warrant in the sum of thirty-five thousand dollars was then drawn upon the City Treasurer in favor of Cary Bros., payable out of Municipal Improvement Fund No.2, whereupon the President of the Board of Trustees in accordance with the foregoing resolution accepted the delivery of the deed and security, and delivered the aforementioned warrant to Cary Brothers, who accepted the same.

It was regularly moved and seconded that this Board do now adjourn until Wednesday evening Feb.16th., 1910, at the usual hour and place. The motion was carried and it was so ordered.

Attset:


City Clerk.